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 dba UKIAH AUTO DISMANTLERS and WAYNE HUNT

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

PINOLEVILLE POMO NATION,)	Case No. C 07-02648 EMC
PINOLEVILLE POMO NATION)	
ENVIRONMENTAL ASSOCIATION and)	
LEONA WILLIAMS,)	DECLARATION OF WAYNE BRILEY IN
)	OPPOSITION TO PRELIMINARY
Plaintiffs,)	INJUNCTION
)	
v.)	
)	
UKIAH AUTO DISMANTLERS, WAYNE)	
HUNT, ISABEL LEWRIGHT, WARRIOR)	
INDUSTRIES, INC., RICHARD)	
MAYFIELD, ROSS JUNIOR MAYFIELD,)	
PAULA MAYFIELD, KENNETH HUNT,)	
U.S. ALCHEMY CORPORATION and)	
DOES 1-50, Inclusive,)	
)	
Defendants.)	

I, WAYNE BRILEY, declare as follows:

1. I make this declaration of my own personal knowledge. If called upon to testify to the matters stated herein, I could and would competently do so.
2. I am a HAZMAT specialist with the Department of Environmental Health, a subdivision of the Mendocino County Health and Human Services Agency.
3. I have been employed by the Department of Environmental Health for approximately twelve (12) years and it is my duty to inspect hazardous material sites.

4. The Department of Environmental Health is a Certified Unified Program Agency ("CUPA") certified by the California Environmental Protection Agency ("CALEPA"). I am therefore a CUPA Field Inspector.

5. I am familiar with the facility operated by Ukiah Auto Dismantlers at 500 Pinoleville Road, Ukiah, California. It is my responsibility to inspect the facility at least once annually. I also from time-to-time respond to complaints of potential discharge of hazardous materials.

6. On January 4, 2008, the Department of Environmental Health received a complaint from a member of the public asserting there was alleged contaminated storm water runoff from the Ukiah Auto Dismantlers property. On the same day, and while the storm was underway, I made an unannounced visit to Ukiah Auto Dismantlers to investigate the complaint. I encountered Wayne Hunt, owner of Ukiah Auto Dismantlers, who I had met on prior occasions.

7. On January 4, 2008, Mr. Hunt directed me to two collection ponds on the Northeast boundary of the wrecking yard. I observed that the containment ponds were functioning as designed and that they were not overflowing. Because the containment ponds were not overflowing and further because it appeared to me that all surface water on the Ukiah Auto Dismantlers site was channeled to the collection ponds, it appeared to me that there was no surface water discharge in any amount from the Ukiah Auto Dismantlers property. I did not conduct any analytical diagnostics of the stormwater runoff.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 13 day of June, 2008 at Ukiah, California.

Wayne Briley
WAYNE BRILEY

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